

414 Rec'd PCT/PTO 28 NOV 2000

FORM PTO-1300  
(REV 12-29-99)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

TTO/INVENTOR DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

5727-65998

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/555,718

INTERNATIONAL APPLICATION NO.

PCT/US98/25850

INTERNATIONAL FILING DATE

04 December 1998

PRIORITY DATE CLAIMED

04 December 1997

TITLE OF INVENTION

INSTRUMENT SETUP UTILITY PROGRAM


APPLICANT(S) FOR DO/EO/US: BATMAN, Carol Jane; BYRD, Nancy Kennedy; BISHOP, Timothy J.; HENDERSON, Les G.; HOPKINSON, Patricia A., et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
  1. Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)
  2. Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)
  3. Petition for Extension of Time
  4. Check in the Amount of \$1,390.00 for four-month extension

U.S. APPLICATION NO (if known, see 37 CFR 1.5) <b>09/555,718</b>		INTERNATIONAL APPLICATION NO <b>PCT/US98/25850</b>		ATTORNEY'S DOCKET NUMBER <b>5727-65998</b>	
17. <input type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$ 1,000  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$ 860  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$ 710  International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$ 690  International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) ..... 100  <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b> \$				<b>CALCULATIONS</b> PTO USE ONLY	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				<b>PAID</b> <b>\$</b> <b>02 June 2000</b>	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =		X \$18.00	\$	
Independent claims	- 3 =		X \$80.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	
Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				\$	
<b>SUBTOTAL =</b>				\$	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$	
				Amount to be:	\$
				refunded	\$
				charged	\$
a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed.  b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>10-0435</u> . A duplicate copy of this sheet is enclosed.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: <b>CONARD, Richard D.</b> <b>BARNES &amp; THORNBURG</b> <b>11 South Meridian Street</b> <b>Indianapolis, IN 46204</b> <b>US</b>				 SIGNATURE: <b>Richard D. Conard</b> NAME <b>27321</b> REGISTRATION NUMBER	

Express Mail No. EL50445595US

**BARNES & THORNBURG**

**PTO/PCT Rec'd 28 NOV 2000**

Mailed: 28 November 2000

**09 / 555 71 8**

#3

11 South Meridian Street  
Indianapolis, Indiana 46204  
(317) 236-1313

PATENT APPLICATION

*IN THE UNITED STATES PATENT AND TRADEMARK OFFICE*

Group:	Unknown	}
		}
Attorney		}
Docket:	5727-65998	}
		}
Applicant:	BATMAN, Carol Jane; BYRD Nancy	}
	Kennedy; DISHOP, Timothy J.;	}
	HENDERSON, Les G.; HOPKINSON,	}
	Patricia A.; MOAK, Stephen E.;	}
	PARKER, James R.; POLASKI,	}
	Frank M.; SHEARER, Atwell R.;	}
	TETZLAFF, Tracy L.; SLY, Lynne	}
	Denise; KLEM, Kurt Gerard	}
		}
Invention:	INSTRUMENT SETUP UTILITY	}
	PROGRAM	}
		}
U.S. Serial No:	09/555,718	}
		}
International. Serial No:	PCT/US98/25850	}
		}
International Filing Date:	04 December 1998	}
	(04.12.98)	}
		}
Earliest Priority Date:	04 December 1997	}
	(04.12.97)	}
		}

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER  
35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED  
OFFICE (DO/EO/US)

Attention: DO/EO/US  
Box PCT  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed 30 June 2000 (30.06.00), applicants submit herewith:

1. eight (8) counterpart executed Declaration and Power of Attorney--Patent Application forms signed by applicants;
2. copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US); and
3. Petition for Extension of Time and attendant fee of \$1,390.00

The surcharge fee of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date was paid on 02 June 2000 (02.06.00).

However, in the event a fee is due, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 10-0435. A duplicate of this Response is enclosed.

Respectfully submitted,



Richard D. Conard,  
Atty. Reg. No. 27321,  
Attorney for Applicants

Attachments: Eight Executed Counterpart Declaration and Power of Attorney--Patent Application Forms  
Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)  
Petition for Extension of Time (2 sheets in Duplicate)  
Copy of Response to Notification of Missing Requirements

RDC/mje/28082  
Indianapolis, Indiana 46204  
(317) 231-7285